

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NATIONAL SPORTING GOODS CORP.,

Plaintiff,

19cv5533 (JGK)

- against -

ORDER

ETG CAPITAL LLC et al,

Defendants.

JOHN G. KOELTL, District Judge:

The parties cannot waive subject matter jurisdiction and the Court can inquire into its subject matter jurisdiction at any time. If the sole member of defendant ETG Capital LLC is a citizen of New Jersey, this Court lacks subject matter jurisdiction. The defendant should provide evidence of the citizenship of the sole member of ETG Capital LLC by May 1, 2020. The plaintiff may file any reply by May 5, 2020. The arguments stated by the plaintiff thus far would not provide a basis for subject matter jurisdiction.

SO ORDERED.

Dated: New York, New York
April 24, 2020

_____/s/ John G. Koeltl_____
John G. Koeltl

United States District Judge